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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,025	05/15/2001	Kevin Collins	10006733-1	2472

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EXAMINER

VU, THONG H

ART UNIT PAPER NUMBER

2142

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,025

Applicant(s)

COLLINS, KEVIN

Examiner

Thong H. Vu

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2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1-22 and new claims 23-26 are pending.

Response to Arguments

2. Applicant's arguments filed 1/17/06 have been fully considered but they are not persuasive to overcome the prior art.

Applicant argues the prior art does not teach or suggest the translating said device interface.

Examiner points out the prior art taught device translating driver [Krishnamurthy abstract].

The rejection is sustained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewallen [6,854,123 B1] in view of Krishnamurthy et al [Krishnamurthy, 6,389,464 B1].

As per claim 1, Lewallen discloses a method for centrally managing a plurality of devices on a network, comprising:

determining whether a device interface for each of said plurality of devices conforms with a standard interface [Lewallen, determine whether a source code statement in an application program is a member of standard API, abstract];

managing said plurality of devices according to said standard interface [Lewallen, control the user interfaces that manipulate the nodes, col 5 lines 1-12; col 10 lines 1-10; a file server, col 11 lines 5-22].

Lewallen also teach convert the source code statement to the native API, [Lewallen , abstract]

However Lewallen does not detail “translating said device interface to conform with said standard interface when said device interface is nonconforming”.

In the same endeavor, Krishnamurthy discloses a device management system for managing standard compliant and non-compliant network elements using device-translation drivers [Krishnamurthy, abstract]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the device trap as taught by Krishnamurthy into the Lewallen’s apparatus in order to utilize the statement node. Doing so would provide the detail information of the network devices to the control program code which improve the network management .

3. As per claim 2, Lewallen-Krishnamurthy disclose discovering said plurality of devices on said network [Lewallen, event listeners, col 10 lines 29-50].

4. As per claim 3, Lewallen-Krishnamurthy disclose a) obtaining network data for said plurality of devices; and b) identifying said plurality of devices on said network based on said obtained network data [Lewallen, API mapping, object mapping, Fig 1].

5. As per claim 4, Lewallen-Krishanmurthy disclose managing said plurality of devices comprises monitoring said plurality of devices for an event [Lewallen, event listeners, col 10 lines 29-50].

6. As per claim 5, Lewallen-Krishanmurthy disclose monitoring said plurality of devices for an event comprises: a) receiving a device trap representing said event from at least one of said plurality of devices; and b) notifying an administrator of said event in response to receiving said device trap as inherent features of event listeners.

7. As per claim 6, Lewallen-Krishanmurthy disclose obtaining attributes for at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

8. As per claim 7, Lewallen-Krishanmurthy disclose changing said attributes for said at least one device [Lewallen, attributes of element, col 9 lines 25-52].

9. As per claim 8, Lewallen-Krishanmurthy disclose reading said nonconforming device interface [Lewallen, non Java standard API, col 4 lines 65].

As per claim 23, Lewallen-Krishanmurthy disclose receiving a number of events from said plurality of devices; and notifying an administrator of ones of the events via a number of alarms [Krishnamurthy, Fig 21]

As per claim 24, Lewallen-Krishanmurthy disclose said displaying the number of alarms via a GUI [Krishnamurthy, Fig 21]

10. Claim 9 contains the similar limitations set forth of claim 1. Therefore, claim 1 is rejected for the similar rationale set forth in claim 1.

11. As per claim 10, Lewallen-Krishanmurthy disclose said program code for managing is embodied at least in part in a network management application [Lewallen, program for manipulate objects, col 4 lines 1-16].

12. As per claim 11, Lewallen-Krishanmurthy disclose program code for discovering said plurality of devices on said network [Lewallen, program for manipulate objects, col 4 lines 1-16].

13. As per claim 12, Lewallen-Krishanmurthy disclose a graphical user interface (GUI) for user management of said plurality of devices [Lewallen, program for manipulate objects, col 4 lines 1-16].

14. As per claim 13, Lewallen-Krishanmurthy disclose the control receiving a language statement in one mixed statement program [Lewallen, col 7 lines 20-48, Fig

3A-B]; program code for receiving a device trap from at least one of said plurality of devices [Krishnamurthy, trap, Fig 20, col 13 lines 17-50]

15. As per claim 14, Lewallen-Krishanmurthy disclose program code for notifying an administrator when a device trap is received from at least one of said plurality of devices [Krishnamurthy, trap, Fig 20, col 13 lines 17-50].

16. As per claim 15, Lewallen-Krishanmurthy disclose program code for obtaining attributes for at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

17. As per claim 16, Lewallen-Krishanmurthy disclose said attributes include at least an indicator of the health of said at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

18. As per claim 17, Lewallen-Krishanmurthy disclose program code for changing at least one attribute of said at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

19. As per claim 18, Lewallen-Krishanmurthy disclose program code for reading said nonconforming device interface; and program code for cross-referencing at least part of

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said nonconforming device interface with said standard interface based on said translation library [Lewallen Java database, col 9 lines 2].

20. Claims 19-22,25-26 contain the similar limitations set forth of claims 1,4,6,8, 23 and 24 respectively. Therefore, claims 19-22,25-26 are rejected for the similar rationale set forth in claims 1,4,6,8,23 and 24.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone plurality is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax plurality for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Primary Examiner
Art Unit 2142

